

REMARKS

Further and favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

Thus, claims 1, 2, and 30-32 have been amended to overcome the objection to these claims, rendering the objection moot.

Claims 21-25 have been amended to avoid their improper multiple dependency, rendering the objection to these claims moot.

In response to the rejection of claims 6 and 38-43 under the second paragraph of 35 U.S.C. §112, and the rejection of claims 38-43 under 35 U.S.C. §101, claim 6 has been amended to delete "further", and claims 38-43 have been replaced by new claims 44-49, respectively, rendering these rejections moot.

The patentability of the present invention over the disclosures of the references relied upon by the Examiner in rejecting the claims will be apparent upon consideration of the following remarks.

Thus, the rejection of claims 1-5, 7-20, 26-29, 32, 36 and 38-43 under 35 U.S.C. §102(b) or 35 U.S.C. §103(a) based on Derouane et al. is respectfully traversed.

This reference discloses that hydrotalcite is calcined at 450 to 650 °C and then loaded with a metal from group VIII of the periodic table. It is important to note that by calcination the hydrotalcite is transformed to MgO with some Al in the lattice, e.g. denoted Mg(Al)O, which is an entirely different material from the starting hydrotalcite.

Surprisingly, Applicants have found that the catalytic material is far more stable under catalytic operation conditions if the loading of the metal(s) is performed directly on the hydrotalcite material, or alternatively, in such a way that Mg(Al)O is transformed (at least partly) back to the hydrotalcite phase. No such back transformation is described or suggested by Derouane et al. It seems in this prior art publication the metals are loaded on the completely calcined catalyst carrier, and they have neither claimed nor tested the stability of the catalyst. Therefore, the stability of the catalyst material could not be predicted from the reference disclosure.

Applicants have shown that washing the catalyst after impregnation results in a catalyst with significantly improved stability (page 23, lines 1-14 of the specification). The Derouane et al.

reference does not disclose any such procedure. On the contrary, the catalysts prepared according to the reference disclosure cannot be expected to possess the advantage obtained by washing as they do not apply an acidified impregnation solution.

For these reasons, the rejection of the claims for anticipation or obviousness based on Derouane et al. should be withdrawn.

The rejection of claims 1-20, 26-29, 32, 36 and 38-43 under 35 U.S.C. §102(b) or 35 U.S.C. §103(a) based on Van Broekhoven is respectfully traversed.

The comments set forth above concerning the Derouane et al. reference are equally applicable to the Van Broekhoven reference.

Furthermore, Applicants note that Van Broekhoven discloses a catalyst material composed of a mixture of different materials, in which hydrotalcite is only one component. Regarding the addition of platinum, it is merely stated that this material can be added to the complex mixture "ready catalyst particles in a known manner" (column 5, lines 7-8). No examples or procedures are provided. This therefore does not teach whether more than an insignificant part of the platinum will actually be impregnated on the hydrotalcite or not.

Accordingly, Applicants take the position that the rejection based on this reference should also be withdrawn.

The rejection of claims 1-5, 7-20 and 26-43 under 35 U.S.C. §102(b) or 35 U.S.C. §103(a) based on WO 94/29021 is respectfully traversed.

The comments set forth above concerning the Derouane et al. reference are equally applicable to this reference.

There is no disclosure in WO '021 of any impregnation of "uncalcined" hydrotalcite, back-formation of the hydrotalcite from the oxidic phase during impregnation, or washing of the catalyst, nor does the reference suggest the advantages of the present invention as discussed above, particularly in terms of the significantly improved stability of the catalyst as a result of washing the catalyst after impregnation.

Thus, Applicants take the position that the presently claimed invention is clearly patentable over all of the applied references.

Therefore, in view of the foregoing amendments and remarks, it is submitted that each of the grounds of objection and rejection set forth by the Examiner has been overcome, and that the application is in condition for allowance. Such allowance is solicited.

Respectfully submitted,

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